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ILLINOIS
COMMERCE COMMISSION

YMax Communications Corp.
Petition for emergency relief to protect
Petitioner's Annual Report from disclosure
for not less than five years in order to protect
highly proprietary information

Docket No.

09-0089

PETITION

NOW COMES, YMax Communications Corp. ("Petitioner") and hereby petitions the Illinois Commerce Commission ("Commission") for emergency relief to protect Petitioner's 2008 Annual Report from disclosure for not less than five years in order to protect highly proprietary information includes therein. In support of this Petition, Petitioner states as follows:

1. Petitioner is certificated by the Commission to provide competitive telecommunications services in the state of Illinois.
2. Petitioner is required to file an Annual Report pursuant to Section 5-109 of The Public Utilities Act (220 ILCS 5/5-109).
3. The Annual Report of the Petitioner contains highly proprietary and confidential commercial and financial information, the disclosure of which to competitors, or potential competitors, would be detrimental to Petitioner.
4. The telecommunications industry is highly competitive, and it is imperative that public disclosure of confidential information contained in the Annual Report of Petitioner be avoided for a period of at least five years following the issuance of an Order by the commission because of the competitive harm which disclosure of such information would likely cause Petitioner.
5. Section 7 of the Illinois Freedom of Information Act, 5 ILCS 140/7(g), exempts from public disclosure "trade secrets and commercial or financial information.... where the trade secrets or information are proprietary, privileged or confidential, or where disclosure of such trade secrets or information may cause competitive harm." The annual Report of Petitioner, which is the subject matter of this Petition, falls within this exemption.
6. Petitioner seeks an Order from this Commission, without hearing, protecting from disclosure in its entirety Petitioner's Annual Report for a period of not less than five years.

WHEREFORE, YMax Communications Corp. respectfully requests that the Commission enter an Order, without hearing, protecting from disclosure in its entirety the 2008 Annual Report of the Petitioner for a period of not less than five years.

DATED this 4 day of Feb, 2009.

Respectfully submitted,

YMax Communications Corp.

By:


Peter Russo, Chief Financial Officer
YMax Communications Corp.

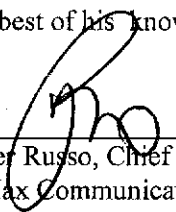
STATE OF FLORIDA

COUNTY OF PALM BEACH

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VERIFICATION

Peter Russo, being first duly sworn on oath, deposes and states that he is the Chief Financial Officer of YMax Communications Corp., that he has read the above and foregoing Petition and knows the contents thereof, and that the same are true to the best of his knowledge, information and belief.


Peter Russo, Chief Financial Officer
YMax Communications Corp.

Subscriber and sworn to before me this 4 day of February, 2009.


Notary Public

SAM D. HITNER
DD0781860

